

REMARKS

Claims 1-72 are currently pending. Applicants have not amended the claims.

Claim Rejections Under 35.U.S.C. § 103(a)

Claims 1-3, 10-13, 16, 18-26, 33-36, 39, 41-49, 56-59, 62 and 64-69 under 35.U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0024975 of Rajasekaran et al. in view of U.S. Patent No. 6,766,363 of Rothschild et al.

Claims 14-15, 17, 37-38, 40, 60-61, and 63 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rajasekaran in view of Rothschild, and U.S. Patent No. 6,152,369 of Wilz et al.

Claims 4-9, 27-32, and 50-55 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rajasekaran in view of Rothschild and U.S. Patent No. 6,931,594 of Jun et al.

Applicants traverse the rejection of claim 1 as Rajasekaran in view of Rothschild fails to show or suggest every limitation of claim 1. Applicants are in strong disagreement with the Examiner that Rajasekaran discusses “determining one or more time ranges based upon the one or more identifiers, each time range having a start time and an end time,” as recited in claim 1. The Examiner indicates that Rajasekaran at paragraph 62 discusses the foregoing limitation of claim 1. Applicants strongly disagree. The discussion at paragraph 61 and 62 pertains to geographic labels for media and more specifically to coordinate labels for media. The discussion at these paragraphs in no way relates to timestamps, and in no way relates to a “time range having a start time and an end time,” as indicated by the Examiner.

Specifically, Rajasekaran at paragraph 61 discusses that location coordinates for a geographical location may be bound to media content to label the media content. Rajasekaran further discusses that an authorizing device may determine its geographic coordinates to retrieve media content for play based on the determined geographic coordinates. Rajasekaran discusses that the exact coordinates bound to the media content do not need to be used to retrieve and play the media content. Rather, approximate coordinates can be used to retrieve and play content. These approximate coordinates are referred to as “a circular shell of influence” that “may be defined around the coordinates,” (emphasis added). See Rajasekaran at paragraph 61. By

providing a circular shell of influence, an authorizing device does not have to be located at the exact coordinates to trigger retrieval and play of the media content. In this approach, Rajasekaran provides common sense operation of the authorizing device, as a user of an authorizing device might be a number of feet, for example, from the exact coordinates used to label the media content, but at a number of feet away from the exact coordinates, the media content may remain relevant to the location of the authorizing device. By providing the circular shell of influence, the Rajasekaran authorizing device can retrieve and play the relevant media content away from the exact coordinates used to label the media content.

Rajasekaran at paragraph 62 discusses that a circular shell of influence defined around a coordinate label may itself be bound to the media content. If an authorizing device enters this circular shell of influence, then the authorizing device can retrieve and play the media content. Rajasekaran particularly points out that this feature is of use in a “treasure hunt” game and other similar games. It is well known by those of skill in the art that treasure hunts are games associated with geographic travel with a user using their authorizing devices to locate a treasure. The use of circular shells of influence provide that treasures may be located even if the authorizing device is not at the exact coordinates used to label the media content used for the treasure hunt. Applicants describe Rajasekaran’s circular shells of influence to clearly and unambiguously point out that the circular shells of influence are related to coordinates labels for geographic locations and are not in any way related to timestamps, and are certainly not in any way related to “determining one or more time ranges based upon the one or more identifiers, each time range having a start time and an end time,” as recited in claim 1.

Applicants further note that Rajasekaran at paragraph 63 discusses timestamps used for labeling media content and expressly discusses, that “temporal events require no further labeling, i.e., the timestamp can serve as the label itself,” (emphasis added). That is, a timestamp does not require any sort of shell of influence for labeling; the timestamp stands on its own to label media content with nothing added thereto.

The timestamp system of Rajasekaran is used to label media content and timestamps, which are used in the system are generated by the internal clock of the Rajasekaran system for this labeling. See Rajasekaran at paragraph 42. Nowhere does Rajasekaran ever

show or suggest the use of timestamps for “determining one or more time ranges based upon the one or more identifiers, each time range having a start time and an end time,” as recited in claim 1.

As Rajasekaran fails to show or suggest “determining one or more time ranges based upon the one or more identifiers, each time range having a start time and an end time,” as recited in claim 1, Rajasekaran certainly also fails to show or suggest any step based on the determining step. Specifically, Applicants are in agreement with the Examiner that Rajasekaran fails to show or suggest “determining portions of the recorded information corresponding to the one or more time ranges, wherein a portion of recorded information corresponding to a time range comprises information from the recorded information occurring between the start time and end time associated with the time range,” as recited in claim 1.

For at least the foregoing reasons Rajasekaran fails entirely to show or suggest every limitation of claim 1. Rothschild fails entirely to make up for the deficiencies of Rajasekaran.

Specifically, Rothschild discusses a method of using a mobile device for requesting information from a server, and the server to providing the information to the mobile device. The request for the information may be based on *other* information that a user of the mobile device views in a movie or the like and enters into the user’s mobile device to generate the request. See Rothschild at column 7, line 42 to column 8, line 57. The other information may include a movie title or the like and a time at which the other information appears in the movie. The server is configured to determine whether any information is associated with the movie and the time, which is included in the other information. Nowhere does Rothschild show or suggest that a time range in the Rothschild movie is determined from the movie title or the time provided in the other information. Nowhere does Rothschild show or suggest a portion of a Rothschild movie is determined from a time range determined from the time in the other information. Determining whether information is linked to a movie at a given time, is entirely different from determining a time range from received information and determining a portion of a piece of recorded information based on the time range. For at least these reasons Rothschild

fails to make up for the many deficiencies of Rajasekaran. Therefore, Rajasekaran in view of Rothschild fails to show or suggest every limitation of claim 1.

Applicants reiterate their traversal of the rejection of claim 1, and Applicants strong disagreement with the Examiner's understanding of Rajasekaran. Applicants respectfully request the Examiner reconsider the rejection of claim 1 and withdraw the rejection.

Applicants traverse the rejections of independent claims 24 and 47. Independent claims 24 and 47 each recite similar limitations to those limitations of claim 1 distinguished from Rajasekaran and Rothschild above. Therefore, for at least the same reasons that Rajasekaran and Rothschild fail to render claim 1 obvious, Rajasekaran and Rothschild similarly fail to render each of claims 24 and 47 obvious.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

/Rodney C. LeRoy/

Rodney C. LeRoy
Reg. No. 53,205

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
RCL/cmm
61690379 v1